

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

<u>KOCH FOODS OF ALABAMA, LLC,</u>)	
an Alabama Limited Liability company)	Case No. 07-cv-522-MHT
)	
Plaintiff and Counterclaim-defendant,)	
)	Honorable Myron H. Thompson
v.)	Honorable Terry F. Moorer
)	
GENERAL ELECTRIC CAPITAL)	
CORPORATION,)	
a Delaware corporation,)	
)	
<u>Defendant and Counterclaim-plaintiff.</u>)	

NOTICE OF FILING

To:

Alexander Terras	Rusha Christina Smith
Timothy Scott Harris	Bradley Arant Rose & White LLP
Reed Smith Sachnoff & Weaver	One Federal Place
10 South Wacker Drive	1819 Fifth Avenue North
Chicago, IL 60606	Birmingham, AL 35203-2104
Counsel for General Electric Capital Corporation	Counsel for General Electric Capital Corporation

PLEASE TAKE NOTICE that on Wednesday, December 5, 2007, the undersigned filed **Certificate in Compliance with Rule 37(a)**, copies of which were served upon you via the CM/ECF system.

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Dated: December 6, 2007

/s/ Zhiyuan Xu

Zhiyuan Xu

OF COUNSEL

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Counsel for Koch Foods of Alabama, LLC

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that copies of the following **Certificate in Compliance with Rule 37(a)** were caused to be served upon counsel of record addressed as follows via the CM/ECF system on this 6th day of December, 2007.

Alexander Terras
Timothy Scott Harris
Reed Smith Sachnoff & Weaver
10 South Wacker Drive
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Counsel for General Electric Capital Corporation

/s/ Zhiyuan Xu

Zhiyuan Xu

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GENERAL ELECTRIC CAPITAL)	
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)	
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CERTIFICATE OF COMPLIANCE WITH RULE 37(a)

The undersigned, an attorney, certifies that, as counsel for Koch Foods of Alabama, LLC (“Koch”), he has in good faith conferred with counsel for General Electric Capital Corporation (“GE Capital”) on November 29, 2007 and written to counsel for GE Capital on December 3, 2007 in a good-faith attempt to resolve, without intervention by the Court, the issues presented in Koch’s *Motion to Compel the Deposition of Jim Hanley and Carrie Brock and the Production of Documents Relating to Tax Deductions of the Equipment* (Docket No. 37), but has been unable to resolve the issues.

/s/ Eugene J. Geekie, Jr.
Eugene J. Geekie, Jr.